

**LEVIN-EPSTEIN & ASSOCIATES, P.C.**

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September 9, 2025

**Via Electronic Filing**

The Hon. Marcia M. Henry, U.S.M.J.  
U.S. District Court, Eastern District of New York  
225 Cadman Plaza E  
Brooklyn, NY 11201

Re: *Juarez et al v. J-Master Properties, LLC et al*  
Case No.: 1:24-cv-06185-RPK-MMH

Dear Honorable Judge Henry:

This law firm represents Defendants J-Master Properties LLC, Jason Reyes, Dolly Reyes, and Jack Banos (collectively, the “Defendant”) in the above-referenced matter.

Pursuant to Your Honor’s Individual Motion Practice Rules, this letter respectfully serves to respond to the September 9, 2025 letter filed by Plaintiffs Gerardo Juarez and Luis Felipe Flores (together, the “Plaintiffs”) [Dckt. No. 33], and to provide the Court with a status update in the above-referenced matter.

The parties attended a virtual mediation session, before an experienced mediator, on September 8, 2025 at approximately 10:00 a.m.. The mediation concluded at approximately 11:33 a.m. The mediator – Patrick Michael McKenna – advised the parties that he would be communicating a mediator’s proposal, within a few days following the mediation.

This afternoon, at 2:09 p.m., Plaintiffs’ counsel emailed the undersigned a copy of the proposed discovery plan. Of notable mention, Plaintiffs’ counsel did not attempt to schedule a meet-and-conferral call, pursuant to Federal Rule of Civil Procedure (“Fed.R.Civ.P.”) 26(a). *See also* Dckt. No. 33-1 at §A(1) (noting that no Rule 26(f) conference was held).

At 2:13 p.m., the undersigned advised Plaintiffs’ counsel that the dates in the proposed case management plan were not feasible, and that a meet-and-conferral needed to be held, pursuant to Fed.R.Civ.P. 26(a). Plaintiffs’ counsel then, inexplicably, filed the proposed case management plan, unilaterally.<sup>1</sup>

It bears mentioning here that the Court-ordered status report filing deadline of September 19, 2025 is more than one (1) week away. [See 08/15/2025 Order]. It further bears reiterating that Plaintiffs’ counsel opted to unilaterally file a proposed discovery schedule before having communicating Mediator McKenna’s mediator’s proposal to Plaintiffs, and before having conducting a Fed.R.Civ.P. 26(a) meet-and-conferral.

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<sup>1</sup> Because of prior-scheduled conflicting, unavoidable obligations, the undersigned was unable to meet-and-confer with Plaintiffs’ counsel at such short notice. The undersigned is available to meet-and-confer with Plaintiffs’ counsel, before the upcoming September 19, 2025 status report filing deadline.

Defendants recognize this Court's valuable time and resources, and sincerely wish to avoid the incurrence of delays caused by hastily filings, that have not benefitted from Court-ordered meet-and-conferrals.

It light of the foregoing, it is respectfully submitted that the Court strike the filing at Dckt. No. 33, and enter an order directing Plaintiffs' counsel to affirm that he will communicate the forthcoming mediator's proposal to his clients, and to further direct Plaintiffs' counsel to satisfy his meet-and-conferral obligations pursuant to Fed.R.Civ.P. 26(a).

Thank you, in advance, for your time and attention to this matter.

Respectfully submitted,

LEVIN-EPSTEIN & ASSOCIATES, P.C.

By: /s/ Jason Mizrahi

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VIA ECF: All Counsel